



General Assembly

January Session, 2013

Raised Bill No. 6580

LCO No. 3900



Referred to Committee on GOVERNMENT
ADMINISTRATION AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING FAILURE TO FILE A REPORT OF AN
INDEPENDENT EXPENDITURE.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (e) of section 9-612 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2013*):

4 (e) (1) Any individual, entity or committee acting alone may make
5 unlimited independent expenditures. Except as provided in
6 subdivision (2) of this subsection, any such individual, entity or
7 committee that makes or obligates to make an independent
8 expenditure or expenditures in excess of one thousand dollars, in the
9 aggregate, shall file statements according to the same schedule and in
10 the same manner as is required of a campaign treasurer of a candidate
11 committee under section 9-608.

12 (2) Any individual, entity or committee that makes or obligates to
13 make an independent expenditure or expenditures to promote the
14 success or defeat of a candidate for the office of Governor, Lieutenant

15 Governor, Secretary of the State, State Treasurer, State Comptroller,
16 Attorney General, state senator or state representative, which exceeds
17 one thousand dollars, in the aggregate, during a primary campaign or
18 a general election campaign, as defined in section 9-700, on or after
19 January 1, 2008, shall file a report of such independent expenditure to
20 the State Elections Enforcement Commission. The report shall be in the
21 same form as statements filed under section 9-608, except that such
22 report shall be filed electronically. If the individual, entity or
23 committee makes or obligates to make such independent expenditure
24 or expenditures more than ninety days before the day of a primary or
25 election, the individual, entity or committee shall file such report not
26 later than forty-eight hours after such payment or obligation. If the
27 individual, entity or committee makes or obligates to make such
28 independent expenditure or expenditures ninety days or less before
29 the day of a primary or election, the person shall file such report not
30 later than twenty-four hours after such payment or obligation. The
31 report shall be filed under penalty of false statement.

32 (3) The independent expenditure report shall (A) identify the
33 candidate for whom the independent expenditure or expenditures is
34 intended to promote the success or defeat, (B) affirm under penalty of
35 false statement that the expenditure is an independent expenditure,
36 and (C) provide any information that the State Elections Enforcement
37 Commission requires to facilitate compliance with the provisions of
38 this chapter or chapter 157.

39 (4) Any person may file a complaint with the commission upon the
40 belief that (A) any such independent expenditure report or statement
41 is false, or (B) any individual, entity or committee that is required to
42 file an independent expenditure report under this subsection has failed
43 to do so. The commission shall make a prompt determination on such
44 a complaint.

45 (5) (A) If an individual, entity or committee fails to file a report
46 required under subdivision (2) of this subsection in accordance with
47 the provisions of this subsection for an independent expenditure or

48 expenditures made or obligated to be made more than ninety days
49 before the day of a primary or election, the person shall be subject to a
50 civil penalty, imposed by the State Elections Enforcement Commission,
51 of not more than [five thousand] seven thousand five hundred dollars.
52 If an individual, entity or committee fails to file a report required
53 under subdivision (2) in accordance with the provisions of this
54 subsection for an independent expenditure or expenditures made or
55 obligated to be made ninety days or less before the day of a primary or
56 election, such individual, entity or committee shall be subject to a civil
57 penalty, imposed by the State Elections Enforcement Commission, of
58 not more than [ten] fifteen thousand dollars. (B) If any such failure is
59 knowing and wilful, the person responsible for the failure shall also be
60 fined not more than [five thousand] seven thousand five hundred
61 dollars or imprisoned not more than five years, or both.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2013</i>	9-612(e)
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GAE *Joint Favorable*